

DAVID BURCHARD
CHAPTER 13 TRUSTEE
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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION**

In re:

HECTOR A SANDOVAL
PO BOX 693
ANGWIN, CA 94508

###-##-0068

Debtor(s).

Case No.: 10-1-4087AJ13
Chapter 13

NOTICE BY DAVID BURCHARD, CHAPTER 13
TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES

341 MEETING OF CREDITORS:

Date: 11/29/2010
Time: 8:00 AM
Place: Office of the United States Trustee
777 Sonoma Ave., First Floor, #116
Santa Rosa, CA 95404

CONFIRMATION HEARING:

Date: 01/12/2011
Time: 1:30 PM
Place: United States Bankruptcy Court
99 South E Street
Santa Rosa, CA 95404

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, cannot recommend Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. Schedule J indicates the food expense for 2 persons in the amount of \$800.00 per month. The Trustee requests that debtors provide proof of this expense.
2. Schedule J lists the monthly mortgage payment in the amount of \$1,666.00, while Paragraph 4 C) of the plan lists \$1,138.00. The Trustee requests that debtors' counsel amend the appropriate schedules so they are accurate and consistent.
3. Paragraph 11 of the plan indicates the lien held on real property by EMC Mortgage shall be voided. The Trustee requests that debtors' Motion to Avoid Lien is filed and resolved prior to confirmation.
4. The debtors have been sent the Chapter Thirteen Business Questionnaire to complete. Debtors' response is due no later than seven days prior to the first scheduled Meeting of Creditors.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations.

Dated: November 23, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

Certificate of Mailing

I, WENDY KARNES, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the NOTICE BY DAVID BURCHARD, CHAPTER 13 TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

HECTOR A SANDOVAL
PO BOX 693
ANGWIN, CA 94508

DANIEL B. BECK
BECK LAW, P.C.
2681 CLEVELAND AVE.
SANTA ROSA, CA 95403

United States Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104

Dated: November 23, 2010

WENDY KARNES

WENDY KARNES